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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 8, 2004

Donald E. Hasse

Attorney Docket No. CHM-009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

Michael John RUTTER

Serial No.: 10/736,266

Filed: December 15, 2003

For: TRACHEOTOMY VALUE UNIT

:  
: Confirmation No. 3842  
: Group Art Unit 3743  
:

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.56, 1.97 and 1.98**  
**(WITHIN 3 MONTHS OF FILING OR PRIOR TO FIRST OFFICE ACTION)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.56, 1.97 and 1.98, Applicant requests the Examiner to make of record the documents listed on the attached PTO/SB/08 form. Copies of the listed documents that are not U.S. patent documents are also enclosed. In accordance with MPEP 609, the Examiner is requested to initial each document listed on the attached PTO/SB/08 form in the space provided, make a copy of the initialed form, and return the copy to Applicants' attorney.

This paper and the enclosed documents are being submitted in accordance with 37 CFR 1.97(b), i.e., within three (3) months of the application filing date or prior to a first Office Action on the merits. Therefore, no fee is believed to be due.

Respectfully submitted,

For: Michael J. RUTTER

By Donald E. Hasse

Donald E. Hasse  
Attorney for Applicant(s)  
Registration No. 29,387  
(513) 229-0383  
Customer Number: 31838

April 8, 2004

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

APR 12 2004

Sheet

1

of

Complete if Known

Application Number	10/736,266
Filing Date	December 15, 2003
First Named Inventor	Michael John Rutter
Art Unit	3743
Examiner Name	
Attorney Docket Number	CHM-009

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)				
		US-	3,924,637	12-09-1975	Swanson	
		US-	4,280,492	07-28-1981	Latham	
		US-	4,325,366	04-20-1982	Tabor	
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		US-	4,582,058	04-15-1986	Depel, et al	
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		US-	5,765,560	06-16-1998	Verkerke et al.	
		US-	6,024,120	02-15-2000	Yam, et al	
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		US-	6,409,967	06-25-2002	McIntosh	
		US-	6,544,292	04-08-2003	Laghi	

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Passy-Muir Communication Products – Clinical Benefits, “Clinical Benefits of the Passy-Muir Speaking Valves”, 4 pages, <a href="http://www.passy-muir.com/clinicalbenefits.htm">http://www.passy-muir.com/clinicalbenefits.htm</a> (6/21/02)	
		Passy-Muir Communication Products – The Design Advantage, 2 pages, <a href="http://www.passy-muir.com/advantage.htm">http://www.passy-muir.com/advantage.htm</a> (6/21/02)	
		Passy-Muir Technical – Positive Airflow, 1 page, <a href="http://www.passy-muir.com/positive.htm">http://www.passy-muir.com/positive.htm</a> (6/21/02)	
		Passy-Muir Communication Products – Valve Descriptions, “Passy-Muir Speaking Valves Product Descriptions”, 5 pages, <a href="http://www.passy-muir.com/valves.htm">http://www.passy-muir.com/valves.htm</a> (8/1/02)	
		Passy-Muir Communication Products – The Design Difference, “The Design Difference – Positive Closure – a patented closed position “No Leak” design”, 2 pages, <a href="http://www.passy-muir.com/difference.htm">http://www.passy-muir.com/difference.htm</a> (10/21/03)	
		Boston Medical Products, Inc., “Montgomery® Tracheostomy Speaking Valve” (1 page) and “VENTRACH™ Speaking Valve” (1 page), <a href="http://www.bosmed.com/products/tracheostomy/">http://www.bosmed.com/products/tracheostomy/</a> (7/21/02)	
		Nellcor – Critical Care Systems, Phonate™ Speaking Valves (2 pages), <a href="http://www.nellcor.com/products/Product.asp">http://www.nellcor.com/products/Product.asp</a> (7/21/02)	
		Minivalve, “Duckbill Valves – DU 027.001 SD” (2 pages) and Umbrella Valves (UM 070.002 SD) (3 pages) <a href="http://www.minivalve.com">http://www.minivalve.com</a> (11/21/03)	
		RUTTER, Dr. Michael, Abstract and Power Point Presentation, Sentac Conference Dec. 2-5, 1999.	
		RUTTER, Dr. Michael, Abstract and Power Point Presentation, Otolaryngology-Head and Neck Surgery Conference Sept. 9-12, 2001	

Examiner  
Signature

Date  
Considered